

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
MARCH 19, 1980

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, March 19, 1980 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - Hughes, Katnich, McCarty
Pinkerton and Katzakian
(Mayor)

Absent: Councilmen - None

Also Present: City Manager Glaves, Assistant City
Manager Glenn, Public Works Director
Ronsko, Community Development Director
Schroeder, City Attorney Stein, and
City Clerk Reimche

INVOCATION The invocation was given by Wayne Kildall, Director
Center of Hope.

PLEDGE Mayor Katzakian led the Pledge of Allegiance to the
flag.

MINUTES On motion of Councilman Pinkerton, McCarty second,
the Minutes of March 5, 1980 were approved with the
following correction as proposed by Councilman
Pinkerton:

(Minutes corrected) Page 8, paragraph 4 - addition to the motion for
passage of Res. No. 80-39 by Councilman Pinkerton,
Hughes second - "and further that the non-profit
foundation seeking funds to cover the cost of the
"Old" Tokay High School Site be given an additional
eight months to raise the funds at which time the
matter will be brought back to Council for review."

PROCLAMATION A proclamation was presented by Mayor Katzakian
proclaiming "The Week of the Young Child."

PLANNING
COMMISSION City Manager Glaves gave the following report of the
March 10, 1980 Planning Commission meeting:

The Planning Commission -

ITEMS OF
INTEREST

1. Approved the request of R. W. Siegfried and
Associates, Consulting Engineers, on behalf of
Cope Properties, Inc. for the approval of the
Tentative Map of Rivergate, a 14.86 acre, 69-unit,
zero lot line, single-family development proposal
for the north side of West Turner Road, east and
west of Rivergate Drive in an area zoned P-D(5),
Planned Development District, No. 5.

In a related action the Planning Commission con-
ditionally adopted the Approved Tentative Map of
Rivergate as the Development Plan for P-D(5),
Planned Development District No. 5.

2. By common consent approved the request of Mr.
C. A. Wentland, 3 Fairmont Medical Center, to
construct a temporary 5', chainlink fence on the
street property lines at the southeast corner of
South Ham Lane and West Vine Street for safety
purposes during construction of medical offices
at this location.

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3. Approved the request of Mr. Glen Baumbach, % Baumbach and Piazza, Consulting Engineers on behalf of Mr. Richard Entzi for a Tentative Parcel Map to divide Lots 148, 149 and 150 of Homestead Manor, Unit #3 to permit the construction of zero lot line single-family dwellings in an area zoned R-LD, Low Density, Multiple Family Residential.

4. Approved the request of Mr. Terry Piazza, % Baumbach and Piazza, Consulting Engineers on behalf of Genie Development, Inc. for a Tentative Parcel Map to divide Lot 3, Maxwell Industrial Park (i.e. 1841 Ackerman Drive) into three parcels in an area zoned M-2, Heavy Industrial.

5. Approved the request of Mr. David Vaccarezza, on behalf of California Waste Removal Systems, Inc. for a Use Permit to expand the transfer and resource recovery operations at 1102 North Cluff Avenue in an area zoned M-2, Heavy Industrial.

COMMUNICATIONS

City Clerk Reimche presented the following claims advising that the Claims had been reviewed by both the City Attorney and the City's Contract Administrator, and it is their recommendation that the Claims be denied:

CLAIMS

a) Estate of Carleen Lee vs. City of Lodi, Loss Date - 10/13/79

b) Randy Bennett vs. City of Lodi, Loss Date 12/2/79

On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council denied the aforementioned claims and referred them to R. L. Kautz and Company, the City's Contract Administrator.

ROUTE 99 VICINITY OF TURNER ROAD INTERCHANGE & THE MOKELUMNE RIVER BRIDGE

City Clerk Reimche apprised the Council that a letter had been received from the State of California, Department of Transportation acknowledging receipt of Council Resolution No. 80-32 related to Route 99 in the vicinity of the Turner Road Interchange and the Mokelumne River Bridge.

RES. NO. 80-42

The letter advises that the Department has identified a project to provide three northbound lanes in this area; however, based on statewide consideration of needs, it has a relatively low priority and has not been scheduled. Based on preliminary information, the project has about a four-year lead time, if funding was available.

Following introduction of the matter by Councilman McCarty, Council, on motion of Mayor Pro Tempore Katnich, Pinkerton second, adopted by title Resolution No. 80-42 - Resolution related to Route 99 in the vicinity of the Turner Road Interchange and the Mokelumne River Bridge.

ABC LICENSE

The City Clerk presented an Application for Alcoholic Beverage License received for the Pizza Works Jones, Daniel L./Karen S. 100 W. Turner Road, Suite A & B.

WATER & POWER RESOURCES SERVICES HEARINGS

Additional information was provided the Council pursuant to the Water and power Resources Service hearings on the proposed Westlands Water District Contract.

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REPORTS OF THE
CITY MANAGER

In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Mayor Pro Tempore Katnich, Pinkerton second were approved. Mayor Katzakian asked to abstain from voting on Agenda item "e" - "Approve Agreements - Beckman Ranch #4", because of a possible conflict of interest.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,146,428.02.

ASPHALT
MATERIAL
SPECIFICATIONS
APPROVED

COUNCIL APPROVED THE SPECIFICATIONS FOR ASPHALT MATERIAL FOR THE SECOND HALF OF FISCAL YEAR 1979-80 AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

Council was apprised that the improvements have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and Mervyn's dated 10/5/78 and as specifically set forth in the plans and specifications approved by the City Council.

ACCEPTANCE OF
IMPROVEMENTS -
MERVYN'S 530 W.
KETTLEMAN LANE,
LODI RES. NO.
80-43

COUNCIL ADOPTED RESOLUTION NO. 80-43 ACCEPTING THE DEVELOPMENT IMPROVEMENTS AND STREETS INCLUDED IN MERVYN'S DEVELOPMENT AT 530 W. KETTLEMAN LANE

HAM LANE
MEDIAN LAND-
SCAPING & SPRIN-
KLER SYSTEM
ACCEPTED

Council was informed that the contract which had been awarded to Ken Owen Landscape of Lodi on September 19, 1979 for "Ham Lane Median Landscaping and Sprinkler System, Harney Lane to Port Chelsea Circle and Arundel Court to Century Boulevard" has been completed in substantial conformance with the plans and specifications approved by the City Council.

HAM LANE
MEDIAN LAND-
SCAPING &
SPRINKLER SYSTEM
ACCEPTED

COUNCIL ACCEPTED THE IMPROVEMENTS IN "HAM LANE MEDIAN LANDSCAPING AND SPRINKLER SYSTEM, HARNEY LANE TO PORT CHELSEA CIRCLE AND ARUNDEL COURT TO CENTURY BOULEVARD (SITE #2)" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER

Mayor Katzakian abstained from voting on the following item because of a possible conflict of interest.

AGREEMENTS
BECKMAN RANCH
#4
APPROVED

Council was informed that Genie Development, Inc. and Guarantee Savings and Loan Association, the developers of Beckman Ranch, Unit No. 4 have furnished the City with the final map and the subdivision improvement plans, as well as the necessary agreements, guarantees for faithful performance and labor materials, insurance certificate, and subdivision fees for the proposed subdivision. The subdivision is located south of Kettleman Lane between Ham Lane and the WID Canal. It consists of 77 single-family lots and is zoned P-D. The City will be paying the developers a very small amount for the oversized water mains which are being installed.

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COUNCIL APPROVED THE FINAL MAP, THE IMPROVEMENT PLANS AND THE IMPROVEMENT SECURITY FOR BECKMAN RANCH UNIT NO. 4 AND DIRECTED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE SUBDIVISION AGREEMENT ON BEHALF OF THE CITY OF LODI

The motion carried by the following vote:

Ayes: Councilmen - Hughes, Katnich, McCarty, and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Katzakian

RATIFICATION OF
A NEGATIVE
DECLARATION FOR
"EAST AREA STORM
DRAIN PROJECT"

Council was informed that as a requirement for the application for Economic Development Administration funds for the installation of the "East Area Storm Drain Project", the City is required to provide the Economic Development Administration with a final environmental determination on the project under the California Environmental Quality Act. The negative declaration will fulfill this requirement.

The project is for the installation of a storm drain line which will run north in Cluff Avenue and in easements to a point on the south side of Pine Street, where a lift station will be constructed. It will then continue in Cluff Avenue and Turner Road to the Mokelumne River where an outfall structure will be constructed.

The Lodi City Planning Commission recommended the ratification of a negative declaration for the "East Area Storm Drain Project" at its meeting of February 25, 1980.

COUNCIL RATIFIED THE NEGATIVE DECLARATION FOR THE "EAST AREA STORM DRAIN PROJECT-CITY OF LODI" AND DIRECTED THE PUBLIC WORKS DEPARTMENT TO PROCEED WITH APPLICATION FOR ECONOMIC DEVELOPMENT ADMINISTRATION FUNDS.

LOT LINE
ADJUSTMENT APPRVD.
AT 932 E. VICTOR
ROAD

COUNCIL ADOPTED RESOLUTION NO. 80-44 APPROVING A LOT LINE ADJUSTMENT BETWEEN 932 E. VICTOR ROAD AND 923 EAST PINE STREET, LODI

AGREEMENT
RENEWED WITH
3-M FOR POSTER
BOARD ON HIGHWAY
12 & DEVRIES

Following introduction of the matter by City Clerk Reimche, Council, on motion of Mayor Pro Tempore Katnich, Pinkerton second, approved the renewal of an Agreement with the 3-M National Advertising Company for a poster board located on Highway 12 at Devries Road at an annual cost of approximately \$2700.00.

Following introduction of the matter by City Manager Graves, Public Works Director Ronsko highlighted and responded to questions posed by Council regarding proposed Agreements with the County relating to Solid Waste Management and the Harney Lane Final Site Plan..

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Following discussion, Council, on Motion of Mayor Pro Tempore Katnich, Pinkerton second, adopted Resolution 80-45 approving an agreement with the County of San Joaquin relating to Solid Waste.

AGREEMENTS WITH
COUNTY RE SOLID
WASTE MANAGEMENT
AND HARNEY LANE
LANDFILL
APPROVED

RES. NO. 80-45
80-46

Management authorized the Mayor and City Clerk to execute the Agreement a behalf of the City.

Further, Council, on motion of Mayor Pro Tempore Katnich, Pinkerton second, adopted Resolution No. 80-46 approving the Agreement with the County of San Joaquin relating to the Harney Lane Final Site Plan and authorized the Mayor and City Clerk to execute the Agreement on behalf of the City.

Council was reminded that on January 16, 1980 the City Council adopted Ordinance No. 1187 entitled, "An Ordinance amending the Municipal Code of the City of Lodi by adding a New Chapter 8B Relative to Community Housing Project Conversions of Residential or Housing Units, and Amending Section 27-15 of the Municipal Code Relating to the Requirement of a use permit, for conversion to a Community Housing Project or Residential or Housing Units; and for the Construction of a Community Housing Project, a Condominium, a Community Apartment Project, a Stock Cooperative or a Planned Development."

Section 8B-3 entitled "Conditional Use Permits Required" of the Ordinance provides that no conversion to a community housing project shall be permitted unless and until a conditional use permit therefor has been applied for and issued pursuant to and in accordance with the Provisions of Section 27-15 of the Lodi Municipal Code and the additional requirements as set forth in this Chapter.

It is Staff's recommendation that the City Council adopt a resolution establishing the fee at \$100.00.

RESOLUTION ESTABLISHING USE PERMIT FEE FOR CONDOMINIUM CONVERSIONS
RES. NO. 80-47
Following Council discussion, with questions being directed to Staff, Council on motion of Mayor Pro Tempore Katnich, Pinkerton second, adopted Resolution No. 80-47 establishing the Use Permit fee for Condominium Conversions as set forth in Ordinance No. 1189 at \$100.00. The motion carried by unanimous vote.

Council was requested to approve the 1980-81 claims for Transportation Development Act Funds (SB 325). It was explained that the 1980-81 Claim includes all those street projects that are being considered for construction during the next fiscal year.

RESOLUTION APPROVING THE 1980-81 CLAIMS FOR TRANSPORTATION DEVELOPMENT
RES. NO. 80-48
The 1980-81 Transportation Development Act Claim includes \$13,817 (2%) to the San Joaquin County Council of Governments for Transportation Planning and \$677,011 for the City of Lodi road and street improvements and the City's dial-a-ride program.

On motion of Mayor Pro Tempore Katnich, Hughes second, Council adopted Resolution No. 80-48 approving the 1980-81 claims for Transportation Development Act Funds (SB 325) and authorized the City Manager to execute the Agreement on behalf of the City.

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LODI KIWANIS
CLUB TO LANDSCAPE
CORNER OF CHURCH
AND PINE

Following introduction of the matter by Lodi Kiwanis Club member Jerry Glenn, Council, on motion of Mayor Pro Tempore Katnich, Pinkerton second, approved the proposal presented by the Lodi Kiwanis Club to develop and complete a landscaping plan for the corner area of Church and Pine Streets (City Hall parcel).

Mayor Katzakian asked to abstain from discussion and voting on the following Ordinances No. 1190 - 1195 because of a possible conflict of interest.

ORDINANCES

ORD. AUTHORIZING
NCPA TO ISSUE
REVENUE BONDS FOR
SHELL PROJECT

Ordinance No. 1190 - An Ordinance Authorizing the Northern California Power Agency to issue Revenue Bonds for the Shell Project having been introduced at a regular meeting held March 5, 1980 was brought up for passage on motion of Councilman Hughes, Katnich second. Second reading was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

ORD. NO. 1190
ADOPTED

Ayes: Councilmen - Hughes, Katnich, McCarty and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Katzakian

ORD. AMENDING
LAND USE ELEMENT
OF GENERAL PLAN
(GP-LU-90-1)

Ordinance No. 1191 entitled - An Ordinance Amending the Land Use Element of the General Plan Which Encompasses Various Changes:

ORD. NO. 1191
ADOPTED

1) Designating the frontage on the west side of South Cherokee Lane in the vicinity of Century Boulevard as "Commercial."

2) Designating the parcel at 1000 West Vine Street as "Office-Institutional."

3) Designating the parcel at 975 South Fairmont Avenue (Lodi Memorial Hospital) as "Office-Institutional."

having been introduced at an adjourned regular meeting held March 11, 1980 was brought up for passage on motion of Councilman McCarty, Hughes second. Second reading was omitted after reading by title and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Councilmen - Hughes, Katnich, McCarty and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Katzakian

ORD. PREZONING
SECTION NOTED
AS "COMMERCIAL"
IN JOHNSON RANCH
REORGANIZATION TO
CONFORM TO C-S
ZONING

Ordinance No. 1192 entitled - "Ordinance Prezoning the Section noted as "Commercial" in the Johnson Ranch Reorganization proposed for Planned Development District No. 19 (PD 19) to conform to C-S Zoning (Commercial Shopping District) having been introduced at an adjourned regular meeting held March 11, 1980 was brought up for passage on motion of Councilman Hughes, McCarty second. Second reading was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

ORD. NO.
1192
ADOPTED

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Ayes: Councilmen - Hughes, Katnich, McCarty and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Katzakian

ORD. PREZONING
JOHNSON RANCH
AND TANDY RANCH
REORGANIZATION

ORD. NO. 1193

ADOPTED

Ordinance No. 1193 entitled, "Ordinance Prezoning the Johnson Ranch Reorganization except for the easterly 300 feet which is located on the west side of South Cherokee Lane, Lodi, north and south of the future extension of Century Boulevard to P-D(19), Planned Development District No. 19 for residential use consistent with the General Plan and Prezoning the Tandy Ranch Reorganization which is located on the south side of Almond Drive, Lodi westerly of South Cherokee Lane to P-D(19) Planned Development District No. 19 for residential uses consistent with the General Plan" having been introduced at an adjourned regular meeting held March 11, 1980 was brought up for passage on motion of Councilman McCarty, Hughes second. Second reading was omitted after reading by title and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Councilmen - Hughes, Katnich, McCarty and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Katzakian

ORD. REZONING
975 S. FAIRMONT
AVE., LODI FROM
R-HD TO R-C-P

ORD. NO. 1194

ADOPTED

Ordinance No. 1194 - "Ordinance Amending the Official District Map of the City of Lodi and thereby, rezoning 975 South Fairmont Avenue, Lodi, from R-HD, High Density Multiple Family Residential to R-C-P, Residential-Commercial-Professional" having been introduced at an adjourned regular meeting held March 11, 1980 was brought up for passage on motion of Mayor Pro Tempore Katnich, Pinkerton second. Second reading was omitted after reading by title and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Councilmen - Hughes, Katnich, McCarty and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Katzakian

ORD. NO. 1195
REZONING 1000 WEST
VINE STREET, LODI,
FROM R-1 TO R-C-P

ORD. NO. 1195

ADOPTED

Ordinance No. 1195 entitled, "An Ordinance Amending the Official District Map of the City of Lodi and thereby rezoning the parcel at 1000 West Vine Street, Lodi, from R-1, Single Family Residential to R-C-P, Residential-Commercial-Professional" having been introduced at an adjourned regular meeting held March 11, 1980 was brought for passage on motion of Councilmen Hughes, McCarty second. Second reading was omitted after reading by title and the ordinance was then adopted and ordered to print by the following vote:

March 19, 1980 continued

Ayes: Councilmen - Hughes, Katnich, McCarty,
and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Katzakian

ADJOURNMENT

The Mayor adjourned the Council to an Executive Session at approximately 9:15 p.m. advising the Public that the Council would not reconvene following the Executive Session.

The City Clerk was excused from attending the Executive Session by the Mayor.

Attest: *Alice M. Reimche*
ALICE M. REIMCHE
CITY CLERK